

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: Donoho *et al*

Docket No.: UNIV0001D6

Serial No: 09/521,805

Art Unit: 3626

Filed: 03/09/2000

Examiner: Frenel, Vanel

Title: Relevance Clause For Computer-Relevance Messaging

October 20, 2004

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**Declaration of prior invention to overcome cited patent or publication pursuant to
37 CFR 1.131**

1. My name is David S. Hindawi.
 2. I have reviewed the following documents cited by the Examiner as a basis for rejecting the herein claimed invention: U.S. Patents to Herz (6,029,195), Basche (6,119,164), Pant et al (6,012,053) in view of Grasso et al (5,892,909).
 3. The claimed subject matter of my invention is not what is claimed in the above cited references.
 4. Herz has a critical reference date pursuant to 37 C.F.R. 1.131 of December 9, 1996 from Provisional application No. 60/032,461.
- Pant et al has a critical reference date and a filing date of June 23, 1997.

Page 1 of 4

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10/20/2004 WED 17:04 FAX 650 474 8401 GLENN PATENT GROUP

Basche has a critical reference date and filing date of April 15, 1997.

The conception of the claimed subject matter of my invention occurred prior to the specified dates of the cited references and was coupled with due diligence from prior to said reference date to the filing of the above mentioned application. In support of this, I have attached documents, Exhibits A-F below.

Exhibit A.

Document Title: "AdviceNet Overview"

Document Date: November 22, 1996

This document discloses the present invention including an advice provider which broadcasts information over a communications medium to a third party and a reader resident with the advice consumer. .

Exhibit B.

Document Title: "The AdviceNet System"

Document Date: January, 26, 1997

This document discloses a continuing development of the present invention including the advice provider and resident reader.

Exhibit C.

Document Title: "The AdviceNet Project"

Document Date: March 11, 1997

This document discloses a continuing development of the present invention including the advice provider and resident reader.

Exhibit D.

Document Title: "The AdviceNet Relevance Language"

Document Date: September 18, 1997

This document discloses a continuing development of the present invention including the advice provider and resident reader.

Exhibit E.

Document Title: "The AdviceNet System For Automating Technical Support"

Document Date: December 10, 1997

This document discloses a continuing development of the present invention including the advice provider and resident reader.

Exhibit F.

Document Title: "Outline for Meeting with Michael Glenn"

Document Date: June 08, 1998

The submitted portions of this document disclose an outline of a meeting with Michael Glenn from Glenn Patent Group in preparation for filing of the above-cited application and show continuing diligence in reduction to practice of the present invention.

5. I am the one of the inventors that used each of the attached documents shown in Exhibits A-F. Said documents contain a description of the invention. At least one of the documents was created on November 22, 1996, showing a conception date of the invention prior to the effective date of said references.

6. The above-cited application was filed on September. 1, 1998, with U.S. provisional No. 60/098,798.

7. The above supporting facts show the conception of the invention prior to the effective date of said reference coupled with due diligence from prior to said date to the filing of the above-cited application.

8. I herein acknowledge that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of my

application or any patent issuing thereon. All statements made of my own knowledge are true and all statements made on information or belief are believed to be true.



David S. Hindawi,

Declarant

OCT 20, 2004

Date

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